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Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable HERB KOHL, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, how majestic is Your name in all the Earth. Long before the birth of the mountains, You have always been God, sustaining the universe with Your commands. Although life's challenges sometimes prompt us to feel that we are rearranging furniture in a burning building, we take comfort in the knowledge that You hear and answer prayer.

We thank You that our lawmakers are striving to find common ground. While work remains to be done, empower them to discover opportunities in this current crisis to build permanent bridges of cooperation as they remember that with many counselors there is safety.

Bless the members of their staffs, who have labored diligently so that we can see the beginnings of a rainbow after the storm. May the sometime unsung heroes and heroines know that You will reward their faithfulness.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HERB KOHL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant bill clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 1, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HERB KOHL, a Senator from the State of Wisconsin, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. KOHL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will resume consideration of the motion to concur in the House message to accompany S. 627, which is the legislative vehicle for the debt limit increase.

The Senate will recess from 11 a.m. until 12:30 p.m. When the Senate reconvenes at 12:30, the time until 2 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senate expects to vote on the compromise we have reached, hopefully, during today's session. When the vote is scheduled, Senators will be notified.

HISTORICAL REVIEW

Mr. REID. Mr. President, I want to spend a few minutes with the Senate and the American people to talk to them about this great body in which we serve. I know there are all kinds of pundits and commentators who talk about how the "system is broken." They point to what has been going on in Washington in the last few months and say it shows that we need a com-

plete change in the way we enact laws; that it just doesn't work anymore, and what is going on is terrible, awful.

I want to take a few minutes and historically review what our country is all about.

In the summer of 1787, the Founding Fathers were meeting in Philadelphia, and they were having a very difficult time. They had tried a number of ways in the past to keep the country together. They had the Articles of Confederation. They knew it wasn't appropriate; it wasn't working.

In June of 1787, a delegate from Connecticut came to a conclusion, and he had an idea that he would suggest to other members in the delegation—the Founding Fathers—about how they could come up with a constitution. That is why they were there.

His suggestion was full of merit because they had not been able to solve the problem of the great State of New York, a huge area with millions of people, and the little State of Connecticut, a very small area and a few people—how could those two States be together in the same Union? They had already decided they were going to have three separate branches of government. But the problems they had in Philadelphia those many years ago was how to handle the legislative branch.

The delegate from Connecticut came up with what was called the Great Compromise. His suggestion became part of our Constitution and allowed the Constitution to become real. His suggestion was that we would have one body of the legislature, the House of Representatives, that would be elected every 2 years. If someone died, there would have to be an election. No one in the history of our country has gotten to be a Member of the House without having been elected by their constituents.

The Senate, however, would not be representative of how many people were in the State. Each State would get the same number. That was the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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breakthrough. It was an experiment—a noble experiment. It has worked so well over these many years, where we have the legislative branch consisting of two separate bodies. It is bicameral in nature.

There has been conflict. The Founding Fathers built conflict into the legislative government because they believed that would be enough to offset the power of the judicial and executive branches of government. Over the years, things have been much worse than they have been in Washington in the last 3 months. Our country has been so successful as a result of the Constitution's guidance.

I repeat, the Constitution has been so successful because of the Great Compromise of the legislative branch of government.

In the early days of our country, there was conflict that went on all the time. They were, from the very beginning, thinking: Can this great country survive? Then we had the conflict developing prior to the Civil War. One Congressman and Senator, Henry Clay from Kentucky, was known as the Great Compromiser. He worked for generations to see what he could do to stop the dissolution of the Republic. He was successful in a very difficult time.

One Member of the House was enraged because Charles Sumner was antislavery. He was a fine, extemporaneous speaker. He was so able to express himself, Congressman Brooks came to the Senate floor with his cane and beat Senator Sumner with it. Senator Sumner never really recovered. He was off work for a couple of years, and he had a permanent disability as a result of that beating he took on the Senate floor.

Historic battles have taken place in our country which were much more difficult than what we have just gone through. What we have just gone through has been extremely difficult, but there was never any consideration that the Republic would fall.

In more recent years, we had the civil rights disputes. Mr. President, years before that, the Congress reacted to slavery, and we had the dissolution of slavery. Many years later came the civil rights movement. The debate that took place on the Senate floor was very heated. Filibusters took place that lasted for weeks, not days. There was tremendous acrimony as a result of that issue dealing with civil rights. But we worked through that. It was hard, and people at that time thought Congress was broken.

Congress is not broken. Congress works the way it should. Does that mean it is always a very pleasant, happy place? No. Do I wish it weren't as difficult as it has been in the last few months? I wish it was much better than that. That is where we are.

Through all the years and conflicts we have had, we have been able to come together and reach reasonable conclusions. The great experiment that started in 1787 has been very success-

ful. A number of people have identified our system of government, but I guess the best way to talk about it came from Winston Churchill who said about democracy:

It has been said that democracy is the worst form of government except for all others that have been tried.

I am not proud of the conflict we have had these last many months, but I am satisfied we have been able to come together to find a solution. It is not over until both Houses of Congress pass the legislation dealing with the debt crisis. It is not over until the President signs the bill.

After weeks of facing off against each other, and this partisan divide we have in the Senate, we were finally able to break through with an agreement, which is typical for agreements that are difficult. No one got everything they wanted. Everyone had to give up something. People on the right are upset, people on the left are upset, and people in the middle are upset. It is a compromise. It is not always easy for two sides to reach a consensus, but that is what we did. We did it on a bipartisan basis.

So I believe reasonable Republicans and Democrats alike understood in this case that without compromise our country faced a very difficult situation. But we did send a message to the world and to the American people that our great democracy is working; as difficult and as hard as it is, it works.

I look forward to working with my colleagues in the next 2 days on both sides of the aisle to pass this remarkable agreement that will protect the long-term health of our economy and avert default on our Nation's debt. We still have a lot of problems dealing with the debt. Today, Congress has a unique opportunity and responsibility to show the world what we can achieve, not in spite of our divided government but because of it.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leader time is reserved.

ESTABLISHING THE COMMISSION ON FREEDOM OF INFORMATION ACT PROCESSING DELAYS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany S. 627, which the clerk will report.

The assistant bill clerk read as follows:

Motion to concur in the House amendment to S. 627, "An Act to establish a Commission on Freedom of Information Act Processing Delays," with an amendment.

Pending:

Reid motion to concur in the amendment of the House of Representatives to the bill, with Reid amendment No. 589, to cut spending, maintain existing commitments, and for other purposes.

Reid amendment No. 590 (to amendment No. 589), to change the enactment date.

Reid motion to refer the message of the House on the bill to the Committee on the Budget, with instructions, Reid amendment No. 591, to change the enactment date.

Reid amendment No. 592 (to the instructions (amendment No. 591) on the motion to refer), of a perfecting nature.

Reid amendment No. 593 (to amendment No. 592), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me say a word about the leadership in the Senate. I have the good fortune of working with Senator HARRY REID, our majority leader. In my role as whip, or assistant leader, I have been close at hand when most of the major decisions have been made. I have come to take the measure of this man from Searchlight, NV, and I have found him to be an extraordinary leader.

At first blush, most people would not choose him for his ringing oratory or a commanding presence. But I will tell you that he has created a leadership style in the Senate that is exceptional. I have watched him during the span of the last 2½ years, particularly as he has faced a myriad of challenges: a new President of his own party; passing the stimulus bill, when we didn't have 60 votes on the Democratic side and had to rely on a cross-over vote from three Republican Senators; dealing with the TARP crisis; the recession and what needed to be done to save financial institutions from dissolution; his efforts, as well, on the Health Care Reform Act, which might have been the mightiest political battle I have ever been engaged in; the Financial Reform Act—the list goes on and on.

Then comes this year with the new Congress—divided, with a Republican leadership in the House. He has had to face passage of appropriations bills, continuing resolutions, and now the most recent crisis over the extension of the debt ceiling. He is an exceptional leader.

I think the majority leader is such an exception because of his humility. He is not the first to the camera nor the loudest in speech. He is a person whose word is trusted and who works night and day until we reach our goal. I admire him so much as a friend, and I am proud to be part of his leadership team and Democratic caucus.

I would like to say a word, as well, about Senator MCCONNELL, the Republican leader. He stepped forward several weeks ago with an exceptional show of political courage when he made a suggestion about how we could find our way through this crisis. It was not a welcome idea on his side of the aisle, and many of his critics took him to task for suggesting how we could get through the debt ceiling crisis. I admired the fact he stood up and understood his responsibility—our responsibility—to the Nation beyond any partisan consideration. Senator MCCONNELL played a critical role in working out the agreement which will come before us and is now pending before the